

**S.B. 752** - Senator Williams  
**S.B. 834** - Senator Moore  
**S.B. 986** - Senator Moore  
**C.S.S.B. 1004** - Senator Brooks

#### **MEMORIAL RESOLUTION**

**S.R. 390** - By Senators Adams and Clower: Memorial resolution for Sam H. Shipley.

#### **WELCOME AND CONGRATULATORY RESOLUTIONS**

**H.C.R. 112** - Inviting Dr. Charles Malik and Dr. William R. Bright to address joint session.

**S.R. 391** - By Senator Brooks: Extending welcome to business leaders from India.

**S.R. 392** - By Senator Ogg: Extending congratulations to Mr. Lee David Schlanger.

#### **ADJOURNMENT**

On motion of Senator Aikin the Senate at 12:32 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

#### **APPENDIX**

##### **Sent to Governor**

**S.B. 87**  
**S.B. 222**  
**S.B. 353**  
**S.B. 470**

##### **Sent to Comptroller**

**S.B. 74**

**FIFTIETH DAY**  
(Wednesday, April 9, 1975)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Absent-excused: Meier.

A quorum was announced present.

The Reverend P. D. Everitt, South Austin Baptist Church, Austin, Texas, offered the invocation as follows:

Our Heavenly Father: we confess our sins and shortcomings before Thee and ask that Thou wouldst forgive us of our sins. Be merciful to us and "remember our frame...that we are dust." Forgive us of our sins of impurity, immodesty and pride.

We thank Thee O God for Thy salvation through Jesus Christ our Lord. We thank Thee for America and the great State of Texas. We praise Thee for human government, especially democracy, which we believe that Thou hast instituted.

Now Our Father we ask Your blessings upon these senators and the work that is set before them. Give them the wisdom to legislate the proper laws that will be to the best advantage to all the citizens of this great State. Bless them with a sound mind and a healthy body. Protect them from harm and injury as they come to and go from the city of Austin. Strengthen them by Your might and power in all their ways.

May each member of this Senate be constantly reminded of the truth spoken in Thy Word which says, "Righteousness exalteth a nation: but sin is a reproach to any people."

This prayer we pray in Jesus name. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### **LEAVE OF ABSENCE**

Senator Meier was granted leave of absence for today on account of important business on motion of Senator Andujar.

#### **BILL SIGNED**

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bill:

**S.B. 387**

**MESSAGE FROM THE HOUSE**

Hall of the House of Representatives  
Austin, Texas, April 9, 1975

Honorable William P. Hobby  
President of the Senate

Sir: I am directed by the House to inform the Senate that the House has passed the following:

**S.C.R. 52**, Requesting the House of Representatives to return **H.B. 169** in order that the Senate might reconsider the vote by which it was finally passed.

**H.C.R. 114**, Requesting the Senate to return House Bill 605 to the House for further consideration.

Respectfully submitted,  
DOROTHY HALLMAN  
Chief Clerk, House of Representatives

**REPORTS OF STANDING COMMITTEES**

Senator Aikin submitted the following report for the Committee on Finance:

**H.B. 613**

Senator Adams submitted the following reports for the Committee on Administration:

**S.C.R. 35**

**S.C.R. 44**

**S.B. 480**

**H.C.R. 12**

Senator Creighton submitted the following reports for the Committee on Economic Development:

**C.S.S.B. 631** (Read first time)

**S.B. 925**

**S.B. 809**

**H.B. 1011**

Senator Mauzy submitted the following reports for the Committee on Education:

**S.B. 493**

**S.B. 102** (Amended)

**S.B. 96** (Amended)

**S.B. 710**

Senator Schwartz submitted the following reports for the Committee on Jurisprudence:

**H.B. 245**

Pat McClung to be Judge of the Juvenile Court No. 2, Dallas County; and Fred Shannon to be District Judge for the 131st Judicial District.

**HOUSE BILLS ON FIRST READING**

The following bills received from the House were read the first time and referred to the Committees indicated:

**H.B. 919**, To Committee on Jurisprudence.  
**H.B. 756**, To Committee on Jurisprudence.  
**H.B. 659**, To Committee on State Affairs.  
**H.B. 1633**, To Committee on Intergovernmental Relations.  
**H.B. 305**, To Committee on Intergovernmental Relations.  
**H.B. 727**, To Committee on Economic Development.  
**H.B. 965**, To Committee on Jurisprudence.

**SENATE BILLS ON FIRST READING**

By unanimous consent the following bills were introduced, read first time and referred to the Committee indicated:

By Senator Sherman:

**S.B. 1030**, A bill to be entitled An Act relating to the allocation of funds to institutions of higher education to cover the loss of tuition and laboratory fees resulting from certain tuition and fee exemptions required by law; amending Subchapter C, Chapter 61, Texas Education Code, by adding Section 61.072; and declaring an emergency.

To Committee on Finance.

By Senator Sherman:

**S.B. 1031**, A bill to be entitled An Act relating to the creation of the constitutional office of criminal district attorney for Castro County; abolishing the office of county attorney of Castro County; conforming the jurisdiction of the district attorney for the 64th Judicial District; and declaring an emergency.

To Committee on Intergovernmental Relations.

**SENATE RESOLUTION 395**

Senator Adams offered the following resolution:

WHEREAS, Since the birth of civilization on the dusty plains of the Serengeti men have engaged themselves in mortal combat; and

WHEREAS, A unique and inspiring handful of giants-among-men have arisen

from the ashes of the fiercest conflicts throughout history to lead tribes of all nations down the path of righteousness and justice; and

WHEREAS, At the bitter height of the "war-to-end-all-wars" there came forth on April 9, 1918, such a giant of a man, destined to lead his people and emerge as the patron saint of the widows and orphans of this land; and

WHEREAS, From humble beginnings in Wheelock, Texas, this young diamond-in-the-rough forwarded himself to the cradle of higher education, Texas A&M University, to be schooled in economics, the art and science of moneylending; and

WHEREAS, Still thirsty for the sweet nectar of education, this young man then placed himself in The University of Texas Law School to be versed in the letters of social and moral conduct, a previously ignored aspect of his education; and

WHEREAS, Upon taking a degree in the law, this ever-expanding young gentleman established himself in the Baptist Church, the Masonic Lodge, the Scottish Rite, the Shriners, the Elks and K.P. Lodge, and that haven for only the most worthy of men, the Brazos County A&M Club; and

WHEREAS, Along with his lovely wife Macille, this great man sired a son that bore his name; and

WHEREAS, That son has now brought forth a son that also bears this famous name; and

WHEREAS, The Senior Senator from the Brazos possesses a record of legislative leadership and service much too long and distinguished to detail here; and

WHEREAS, The Upper Chamber of the Legislature of the people of the State of Texas stands humbled this festive day; and

WHEREAS, The 64th Texas Senate wishes to extend its heartiest greetings to the "BULL OF THE BRAZOS" for a very happy birthday and best wishes for continued good health and happiness for himself and his fine family; now, therefore, be it

RESOLVED, That in the words of the Honorable William Tyler Moore, Chairman of the Committee on State Affairs, that those present "vote aye when your name is called."

The resolution was read.

On motion of Senator Aikin and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Adams the resolution was adopted.

#### **HOUSE CONCURRENT RESOLUTION 114 ON SECOND READING**

The President laid before the Senate the following resolution:

**H.C.R. 114**, Requesting the Senate to return **H.B. 605** to House for further consideration.

The resolution was read.

On motion of Senator Schwartz and by unanimous consent, the resolution was considered immediately and was adopted.

**MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and was referred to the Committee on State Affairs, Sub-Committee on Nominations:

Austin, Texas  
April 9, 1975

The Honorable Charles Schnabel  
Secretary of the Senate  
Capitol Station  
Austin, Texas

Dear Mr. Secretary:

In a letter dated April 4, 1975, Dr. H. R. Gaddy, Jr. requests the withdrawal of his nomination to the State Board of Vocational Nurse Examiners. Dr. Gaddy advises us that he is unable to devote the time necessary to be an active member on this Board and feels he must withdraw his name from nomination. Therefore, I respectfully request the return by the Senate of Dr. Gaddy's name which was submitted to you for confirmation.

Sincerely,  
DOLPH BRISCOE  
Governor of Texas

**CO-AUTHOR OF SENATE BILL 316**

On motion of Senator Mauzy and by unanimous consent, Senator Moore will be shown as Co-author of **S.B. 316**.

**NOTICE OF EXECUTIVE SESSION**

Senator McKinnon gave notice that he would move for an Executive Session of the Senate at 11:00 o'clock a.m. tomorrow.

**SENATE BILL 490 ON SECOND READING**

On motion of Senator Jones and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 490**, A bill to be entitled An Act relating to coverage of mutual insurance companies under the Texas Non-Profit Corporation Act; amending Chapter 15, Insurance Code, as amended by adding Article 15.05-A; and declaring an emergency.

The bill was read second time and was passed to engrossment.

**SENATE BILL 490 ON THIRD READING**

Senator Jones moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 490** be placed on its

third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Mauzy, McKnight, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Longoria and McKinnon.

Absent-excused: Meier.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 2.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Mauzy, McKnight, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Longoria and McKinnon.

Absent-excused: Meier.

#### SENATOR ANNOUNCED PRESENT

Senator Meier who had previously been recorded as "Absent-excused" was announced "Present".

#### SENATE BILL 104 ON SECOND READING

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 104**, A bill to be entitled An Act relating to the registration and certification of persons engaged in the assessment of property for ad valorem taxation; creating the State Board of Registration and Professional Certification for Assessors in Texas; providing functions, duties, and procedures applicable to the board; providing penalties; providing for the appropriation of funds; and declaring an emergency.

The bill was read second time.

Senator Adams offered the following amendment to the bill:

Amend **S.B. 104** by adding a new section to read as follows:  
"\_\_\_\_\_. This Act shall expire January 1, 1977."  
and renumbering subsequent sections.

The amendment was read.

On motion of Senator Adams and by unanimous consent, the amendment was withdrawn.

Senator Jones offered the following amendment to the bill:

Amend **S.B. 104** by striking the sentence beginning on line 40, page 3.

The amendment was read and was adopted.

On motion of Senator Schwartz and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### **SENATE BILL 104 ON THIRD READING**

Senator Schwartz moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 104** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### **COMMITTEE SUBSTITUTE SENATE BILL 472 ON SECOND READING**

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 472**, A bill to be entitled An Act relating (i) to the importance of coastal public lands, the coastal marshes and similar coastal areas of the state located on both publicly and privately owned lands and the importance of the maintenance, preservation and enhancement of the environment, wildlife and fisheries, and (ii) to the importance of the Gulf Intracoastal Waterway, and providing for the administration by the State of Texas of non-federal sponsorship requirements to the future maintenance and improvement of the Gulf Intracoastal Waterway consistent with the policy of the State of Texas; and declaring an emergency.

The bill was read second time and was passed to engrossment.

#### **COMMITTEE SUBSTITUTE SENATE BILL 472 ON THIRD READING**

Senator Schwartz moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 472** be placed on its third reading and final passage.



The motion prevailed by the following vote: Yeas 30, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Traeger and Williams.

Nays: Snelson.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### SENATE BILL 193 ON SECOND READING

Senator Snelson asked unanimous consent to suspend the regular order of business and take up S.B. 193 for consideration at this time.

There was objection.

Senator Snelson then moved to suspend the regular order of business and take up S.B. 193 for consideration at this time.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Creighton, Farabee, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Clower, Doggett and Gammage.

The President laid before the Senate on its second reading and passage to engrossment:

**S.B. 193**, A bill to be entitled An Act amending Subchapter E, Chapter 54, Texas Education Code, by adding a new section 54.504 authorizing the governing board of each institution of higher education to levy and collect from each student medical services fees; and declaring an emergency.

The bill was read second time.

Senator Snelson offered the following Committee Amendment to the bill:

Amend **S.B. 193** by adding an additional sentence to Section 1(a) to read as follows:

"Such medical service fees, when levied and collected, shall not be expended for any purpose other than providing medical services for the students of such institutions of higher learning."

The Committee Amendment was read and was adopted.

Senator Snelson offered the following amendment to the bill:

Amend **S.B. 193** by adding thereto a new Subsection (c) to read as follows:

"(c) Prior to the levy of a medical services fee at any institution of higher education under the provisions of this section, the governing board shall provide for receiving recommendations from the students, faculty, and administration of such institution as to the type and scope of medical services to be provided."

The amendment was read and was adopted.

On motion of Senator Snelson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### **RECORD OF VOTE**

Senator Doggett asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

#### **SENATE BILL 193 ON THIRD READING**

Senator Snelson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 193** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 4.

Yeas: Adams, Aikin, Andujar, Braecklein, Creighton, Farabee, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Brooks, Clower, Doggett and Gammage.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### **RECORD OF VOTE**

Senator Doggett asked to be recorded as voting "Nay" on the final passage of the bill.

#### **SENATE BILL 486 ON SECOND READING**

On motion of Senator Creighton and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 486**, A bill to be entitled An Act relating to sale and purchase of excess acreage of a titled or patented survey of public land; amending Section 4, Chapter 3, Acts of the 46th Legislature, Regular Session, General Laws, 1939 (Article 5421c-1, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time.

Senator Creighton offered the following Committee Amendment to the bill:

Amend **S.B. 486** by striking the words "the survey" and substituting in lieu thereof "such land" on line 15, page 2 so that the final sentence of Section 1 will read as follows: "Such transfer shall inure distributively to the benefit of the true and lawful owners of such land in proportion to their holdings."

The Committee Amendment was read and was adopted.

On motion of Senator Creighton and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### **SENATE BILL 486 ON THIRD READING**

Senator Creighton moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 486** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Patman.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Patman.

#### **COMMITTEE SUBSTITUTE SENATE BILL 242 ON SECOND READING**

On motion of Senator Adams and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 242**, A bill to be entitled An Act relating to the investment of credit union funds in savings certificates and accounts; amending Section 24, Chapter 186, Acts of the 61st Legislature, Regular Session, 1969, as amended (Article 2461-24, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time and was passed to engrossment by the following vote: Yeas 28, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Traeger and Williams.

Nays: Mauzy, Sherman and Snelson.

#### **COMMITTEE SUBSTITUTE SENATE BILL 242 ON THIRD READING**

Senator Adams moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **C.S.S.B. 242** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Traeger and Williams.

Nays: Mauzy, Sherman and Snelson.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### **RECORD OF VOTES**

Senators Mauzy, Sherman and Snelson asked to be recorded as voting "Nay" on the final passage of the bill.

#### **SENATE BILL 241 ON SECOND READING**

On motion of Senator Adams and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 241**, A bill to be entitled An Act relating to the exemption of certain interests in savings and loan associations from certain other laws; amending Section 11.01, Texas Savings and Loan Act (Article 852a, Verron's Texas Civil Statutes); and declaring an emergency.

The bill was read second time and was passed to engrossment.

#### **SENATE BILL 241 ON THIRD READING**

Senator Adams moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 241** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harrington, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### SENATE BILL 247 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 247**, A bill to be entitled An Act amending Title 3, Family Code, etc., and declaring an emergency.

The bill was read second time.

Senator Farabee offered the following Committee Amendment to the bill:

Amend the caption to Senate Bill 247 by changing the word "mandatory" on line 20 of the printed bill to read "a".

The Committee Amendment was read and was adopted.

Senator Farabee offered the following Committee Amendment to the bill:

Amend **S.B. 247** by renumbering Section 10 as Section 11, renumbering the subsequent sections accordingly, and by adding a new Section 10 to read as follows:

"Sec. 10. Section 54.01(a), Family Code, is amended to read as follows:

"(a) If the child is not released under Section 53.02 of this Code, a detention hearing without a jury shall be held promptly, but not later than the [next] second working day after he is taken into custody."

The Committee Amendment was read and was adopted.

Senator Farabee offered the following Committee Amendment to the bill:

Amend **S.B. 247** by adding a Subsection (g) to Section 51.04 of the Family Code:

"(g) The juvenile board, or if there is no juvenile board, the juvenile court, may appoint a referee to conduct hearings under this Title and in accordance with Section 54.10 of this Code. The referee shall be an attorney licensed to practice law in this State. Payment of any referee services shall be provided from county funds."

The Committee Amendment was read and was adopted.

Senator Farabee offered the following Committee Amendment to the bill:

Amend **S.B. 247** by adding a new Section 54.10 to the Family Code, and numbering appropriately:

**"Section 54.10 HEARINGS BEFORE REFEREE**

**"(a)** The hearing provided in Sections 54.01, 54.03 and 54.04 of this Code may be held by a referee appointed in accordance with Section 51.04(g) of this Code provided:

**"1.** The parties have been informed by the referee that they are entitled to have the hearing before the juvenile court judge or in the case of a detention hearing provided for in Section 54.01 of this Code, a substitute judge as authorized by Section 51.04(f) of this Code; or

**"2.** The child and the attorney for the child have in accordance with the requirements of Section 51.09 of this Code waived the right to have the hearing before the juvenile court judge or substitute judge.

**"(b)** At the conclusion of the hearing, the referee shall transmit written findings and recommendations to the juvenile court judge. The juvenile court judge shall adopt, modify or reject the referee's recommendations within twenty-four hours. In the same case of a detention hearing as authorized by Section 54.01 of this Code, the failure of the juvenile court to act within twenty-four hours results in release of the child by operation of law and a recommendation that the child be released operates to secure his immediate release subject to the power of the juvenile court judge to modify or reject that recommendation."

The Committee Amendment was read and was adopted.

Senator Farabee offered the following amendment to the bill:

Amend **S.B. 247**, Section 11, Subsection (k) by adding the figures "53.04" after the word "Sections" and before the figures "53.05".

The amendment was read and was adopted.

On motion of Senator Farabee and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment by the following vote: Yeas 16, Nays 14.

Yeas: Andujar, Braecklein, Brooks, Creighton, Farabee, Gammage, Hance, Harrington, Harris, Kothmann, Lombardino, Longoria, Ogg, Santiesteban, Schwartz and Williams.

Nays: Adams, Aikin, Clower, Doggett, Jones, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Patman, Sherman and Traeger.

Absent: Snelson.

**BILL AND RESOLUTION SIGNED**

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled bill and resolution:

**H.C.R. 112**

**H.B. 53**

**HOUSE BILL 564 ON SECOND READING**

On motion of Senator Ogg and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

**H.B. 564**, A bill to be entitled An Act relating to the collection of fees under the Texas Controlled Substances Act; amending Section 3.02 of the Texas Controlled Substances Act (Article 4476-15, Vernon's Texas Civil Statutes); appropriating funds; and declaring an emergency.

The bill was read second time and was passed to third reading.

**HOUSE BILL 564 ON THIRD READING**

Senator Ogg moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **H.B. 564** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0, Present-Not voting 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harris, Jories, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Present-Not voting: Harrington.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0, Present-Not voting 1.

Yeas: Adams, Aikin, Andujar, Braecklein, Brooks, Clower, Creighton, Doggett, Farabee, Gammage, Hance, Harris, Jones, Kothmann, Lombardino, Longoria, Mauzy, McKinnon, McKnight, Meier, Mengden, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Present-Not voting: Harrington.

**COMMITTEE SUBSTITUTE SENATE BILL 415 ON SECOND READING**

Senator Andujar asked unanimous consent to suspend the regular order of business and take up **C.S.S.B. 415** for consideration at this time.

There was objection.

Senator Andujar then moved to suspend the regular order of business and take up **C.S.S.B. 415** for consideration at this time.

The motion prevailed by the following vote: Yeas 21, Nays 10.

Yeas: Adams, Andujar, Braecklein, Brooks, Doggett, Farabee, Gammage, Harris, Jones, Lombardino, McKinnon, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Aikin, Clower, Creighton, Hance, Harrington, Kothmann, Longoria, Mauzy, McKnight and Patman.

The President laid before the Senate on its second reading and passage to engrossment:

**C.S.S.B. 415**, A bill to be entitled An Act relating to the immunity of witnesses in the process of the school book selection from civil liability; providing a remedy for witnesses who are sued; and declaring an emergency.

The bill was read second time and was passed to engrossment by the following vote: Yeas 20, Nays 11.

Yeas: Adams, Andujar, Brooks, Doggett, Farabee, Gammage, Harris, Jones, Lombardino, McKinnon, Meier, Mengden, Moore, Ogg, Santiesteban, Schwartz, Sherman, Snelson, Traeger and Williams.

Nays: Aikin, Braecklein, Clower, Creighton, Hance, Harrington, Kothmann, Longoria, Mauzy, McKnight and Patman.

#### NOTICES OF INTENT

The following Notices of Intent were filed with the Secretary of the Senate:

Thursday, April 10, 1975

**H.B. 169** - Senator Doggett (Motion to reconsider)  
**H.B. 199** - Senator Longoria  
**H.B. 222** - Senator Snelson  
**H.B. 1011** - Senator Creighton  
**C.S.S.B. 65** - Senator Mengden  
**C.S.S.B. 69** - Senator Moore  
**C.S.S.B. 109** - Senator Mauzy  
**C.S.S.B. 110** - Senator Mauzy  
**C.S.S.B. 162** - Senator Doggett  
**S.B. 196** - Senator Santiesteban (Third reading)  
**S.B. 228** - Senator Moore  
**C.S.S.B. 244** - Senator Ogg  
**C.S.S.B. 250** - Senator Mauzy  
**S.B. 257** - Senator Mauzy  
**C.S.S.B. 270** - Senator Doggett  
**S.B. 309** - Senator Snelson  
**C.S.S.B. 319** - Senator Patman  
**C.S.S.B. 348** - Senator Braecklein  
**C.S.S.B. 397** - Senator Doggett  
**S.B. 405** - Senator Sherman  
**C.S.S.B. 412** - Senator Harris  
**S.B. 423** - Senator Harris  
**S.B. 459** - Senator Sherman  
**S.B. 469** - Senator Meier  
**S.B. 497** - Senator Mauzy